

From: [Andy Goodridge](#)
To: [spill12](#); [Adams, Adam](#); [Loesel, Matthew](#); [Mason, Steve](#)
Subject: RE: 2nd 80"s Fire WMP
Date: Monday, March 25, 2019 6:15:59 PM
Attachments: [image001.png](#)
[rg-022.pdf](#)

State and Federal OSCs,

The following constitutes the TCEQ's response to ITC's proposed 2nd 80's Fire Deer Park, Texas Waste Management Plan, Version 1.0, 23 March 2019 submitted by Intercontinental Terminals Company – Deer Park, hereafter referred to as the "Plan." The TCEQ may provide supplemental responses or requests for information at its discretion.

Please let us know if you have any questions or need additional details.

Thanks.

-Andy, Nicole

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2nd 80's Fire Waste Management Plan

1.0 No Comment.

2.0 No Comment.

3.0

In the absence of reliable sampling data to the contrary, all waste streams generated as the result of the fire incident are presumed to be hazardous waste, as would any waste stream that has come in contact or comingled with a hazardous waste.

Materials recovered from the impacted areas must be identified and waste determination performed consistent with applicable state, local, and federal regulations. This includes, but may not be limited to, soils, scrap, wipes, sorbents, water, and hazardous materials deposited on land, solid surfaces, and water bodies through aerial dispersion of incompletely combusted substances.

4.0

In addition to known wastes, the Plan must address unknown materials generated from uncontrolled and incomplete combustion, which require quantitative analysis for additional potentially hazardous species. In addition to using generator knowledge, waste determinations conducted for the solid waste soil must also include sampling analytical results consistent with the nature of the incident.

Waste Classification rules are found in 30 TAC 335 Subchapter R. Refer to RG-022 (Guidelines for the Classification and Coding of Industrial and Hazardous Wastes), which covers process knowledge, analytical testing, and documentation requirements. Subchapter R may be reviewed at:

[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=5&ti=30&pt=1&ch=335&sch=R&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=30&pt=1&ch=335&sch=R&rl=Y). RG-022 is attached, for reference.

#### 4.1

The Plan must follow EPA/TCEQ sampling protocol. In cases of bulk sampling, the established sampling protocol is not amendable.

One in ten is insufficient. For the size and scope of this incident, and based on the reported wastes contaminated with aromatic solvent residues and partially burnt materials, sampling and analysis must be performed to adequately characterize the chemical composition and variability of concentrations of the hazardous chemicals in the waste. The Plan must follow EPA guidance 530-D-02-002 (August 2002) at [https://www.epa.gov/sites/production/files/2015-10/documents/rwsdtg\\_0.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/rwsdtg_0.pdf) to determine the appropriate frequency of sampling.

Per EPA guidance, in order to establish a statistically reliable quantitation of the sampled material the sampling must adhere to and follow established regulatory guidance.

The Plan must identify the specific constituents/parameters to be sampled and measured along with the reference analytical methods to be used for each sample matrix.

The wastes must also be sampled for polynuclear aromatics (PNAs) and other products of incomplete combustion. Must sample for all VOCs and SVOCs (8260 and 8270) along with all metals both on and off site.

The Plan must specify any special sampling requirements for, e.g., PFAS, which require specialized container and analytical method. For these and all other sampling and analytical processes, the Plan must list the parameters and container/preservation method, test method, identification, Chain-of-Custody protocol, packaging/shipping/handling requirements, and all other procedures to maintain sample integrity.

#### 4.2

Scrap materials, sooty metals, and heat affected materials/alloys will either need to be managed as hazardous wastes or be sampled for hazardous residues.

#### 4.3

The Plan must identify the Quality Assurance standards used for all sampling, analytical, and data processing procedures including all referenced standards.

#### 4.4 No Comment.

#### 4.5

The Plan must specify the standards being referenced. Furthermore, all occurrences of “as

appropriate,” “as needed,” and similar language throughout the Plan must clearly establish the criteria used to define the conditions under which it is appropriate not to apply the standards.

4.6 No Comment.

5.0

Aromatic organics are partially water soluble; these liquid wastes must be sampled and characterized for volatile aromatic organics to be adequately classified in accordance with 30 TAC 335 Subchapter R.

6.0

Based on available information to date and a review of the waste characterization proposal, wastewater treatment using ITC’s onsite facilities is not a suitable option. Refer to Waste characterization rules found in 30 TAC 335 Subchapter R (Waste Classification).

The waste must be classified via a waste determination. A profile is not a waste determination.

If mixing Class 1 and Hazardous Waste, the mixture will be considered hazardous. Some of source material is U listed waste. The Plan must address all applicable requirements for listed hazardous wastes.

Samples must be collected, preserved, handled, and analyzed using United States Environmental Protection Agency (EPA)-approved procedure in order to be accepted by the TCEQ. EPA-prescribed collection, preservation, handling, and analytical methods are listed in EPA publication SW-846, Test Methods for Evaluating Solid Waste. SW-846 can be found here: <https://www.epa.gov/hw-sw846>.

7.0

The Plan must address the temporary storage locations and included a description of their normal purpose and function (i.e., prior to the fire event). If a storage facility is included in the entity’s NOR, the Plan must identify the tank ID and the NOR unit number. The Plan must address closure requirements as required by regulation for any temporary storage locations.

If the units are not noted on the NOR, the Plan must describe the process for notifying and obtaining concurrence from the TCEQ Waste Permits Division on existing units that change function and also any areas where temporary units are being managed. Concurrence must be obtained from the TCEQ by the Responsible Party prior to operating any change.

No hazardous waste generated during and from the incident must be allowed to enter the facility’s onsite WWTP. The Plan must describe how this requirement will be met.

The Plan must require and specify documentation and verification of any materials impacted by the fire to be potentially managed for recycling/reuse. This is inclusive of all materials (e.g., residual

content of tanks; debris/metal/concrete; liquids; solids etc.). This determination must be made in compliance with state and federal regulations applicable to solid waste recycling/reuse. Recycling/reuse must meet EPA standards set forth in 40 CFR.

8.0

The Plan must establish the inspection frequency, scope and applicability of the inspections, materials inspected, etc. Inspections must be in accordance with the applicable sections of 40 CFR 265 Subparts J and I.

9.0 No Comment.

Attachment A No Comment.

Attachment B No Comment.

Attachment C

The Plan must include complete maps and diagrams of all impacted areas. The proposed plan only appears to address the 2nd 80's tank farm area, drainage ditch along and beyond the north extent of the tank farm, and Tucker Bayou. An area map depicting the extent of the fire, smoke plume, fallout areas, and water bodies and shorelines assessed or to be assessed for impact must be included. The map must be clearly labeled.

Pertinent to the management of wastes generated as a result of the fire, response, and remedial activities, the Plan must include maps of all locations and areas related to the incident, impact assessment, sampling, staging, temporary storage, facilities involved, and work areas.

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**From:** Karrah Shremshock <[KShremshock@iterm.com](mailto:KShremshock@iterm.com)>

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**Cc:** James McCormack <[jmccormack@cteh.com](mailto:jmccormack@cteh.com)>

**Subject:** 2nd 80's Fire WMP

Attached is the preliminary waste management plan for your review.

Thanks,



**Karrah Shremshock | Hazardous Waste Operator**

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every  
action   
counts 